



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation
on the 15th day of August, 2000

In the matter of the revocation of the interstate
and foreign charter certificates issued to

PANAGRA AIRWAYS, INC.

in accordance with section 204.7 of the
Department's Regulations

Served: August 15, 2000

Dockets OST-96-1019-11
OST-96-1020-12

ORDER REVOKING INTERSTATE CERTIFICATE

Panagra Airways, Inc., holds certificate authority under 49 U.S.C. 41102 to engage in interstate and foreign charter air transportation of persons, property, and mail.¹ The company conducted operations under its certificate authority until on or about August 6, 1999, when it ceased all operations. Section 204.7 of the Department's Aviation Economic Regulations (14 CFR 204.7) provides that, if a carrier ceases conducting the operations for which it was found fit, willing and able, its authority to conduct such operations is automatically suspended. As a result of its cessation of operations, in accordance with section 204.7 of our rules, Panagra's authority was automatically suspended.²

Section 204.7 also provides that the authority granted to an air carrier shall be terminated if the carrier has not operated for a one-year period under any authority for which it was found fit. By letter dated May 8, 2000, we reminded Panagra of the dormancy provisions of section 204.7 of our rules, and stated that, in accordance with the rule, we would revoke its certificate authority for reason of dormancy unless before August 6, 2000, we had received notification of the carrier's intent to have its fitness redetermined and to resume operations.

While we have received inquiries from various individuals expressing interest in Panagra's certificate authority and indicating that either they, or clients of theirs, might purchase Panagra and seek to restart its operations, to date, the carrier has not filed any notice of ownership change, nor has it filed any notice to resume operations. Further,

¹ See Order 97-3-46, issued March 31, 1997. This order reissued to Panagra the interstate charter certificate previously issued by Order 96-7-2, and the foreign charter certificate previously issued by Order 96-7-23 to reflect the effective date of these certificates.

² The company was notified of this suspension by letter dated August 11, 1999.

Panagra has not filed any request for an exemption from the revocation-for-dormancy provisions of our rules.

Therefore, under these circumstances and in accordance with section 204.7 of our rules, we have decided to revoke, for reason of dormancy, the section 41102 certificates issued to Panagra authorizing it to engage in interstate and foreign charter air transportation.³

ACCORDINGLY, Acting under authority assigned by the Department in its regulations, 14 CFR 385.12:

1. We revoke the interstate charter section 41102 certificate issued to Panagra Airways, Inc., by Order 97-3-46 for reason of dormancy.⁴
2. We will serve a copy of this order on the persons listed in Attachment A.

Persons entitled to petition the Department for review of this order under the Department's Regulations, 14 CFR 385.30, may file their petitions within 10 days of the service date of this order.

The action taken in this order shall be effective immediately and the filing of a petition for review shall not alter its effectiveness.

By:

RANDALL D. BENNETT
Acting Director
Office of Aviation Analysis

(SEAL)

*An electronic version of this document is available on the World Wide Web at
<http://dms.dot.gov>*

³ Our action here is without prejudice to the company's filing for new certificate authority in the future.

⁴ By this order, we revoke only Panagra's interstate certificate. Revocation of Panagra's foreign charter certificate is subject to Presidential review under 49 U.S.C. 41307 and will be handled in a separate order.

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